

CHAPTER 2

CONCEPT OF OPERATIONS

A. GENERAL

1. The Department of Defense is capable of rapidly responding to a broad **spectrum** of emergencies **on a no notice** basis. The personnel and associated equipment, although organized to conduct combat operations, can easily apply many of their skills in support of disaster or emergency assistance operations (of short duration). The command and control system inherent in military units provides a significant advantage when deployed to the "bare base" environment created by **a** catastrophic disaster. Capitalizing on these capabilities enables the Department of Defense to respond quickly under a lead Federal Agency, stabilize **a** situation, and then transition operations to Federal and State authorities.

2. The Department of Defense responds to domestic disasters and/or emergencies in accordance with a variety of plans with different Federal Agencies in the lead. The most prominent of these plans is the FRP which is coordinated by FEMA. The Department of Defense is constrained as to the services it can perform in support of civil authorities by the provisions of the Stafford Act (reference (f)). Under 42 U.S.C. 5170b reference (f), however, the President may authorize the Secretary of Defense to use DoD resources for performing on public and private lands any emergency work that is made necessary by an incident that may ultimately qualify for assistance, and which is essential for the preservation of **life** and property. The period of emergency work cannot exceed 10 days. Also, under DoD Directive 3025.1, **par.D.5.** (reference (c)), commanders may provide this assistance when time does not permit prior approval from higher headquarters. In addition, United States Army Corps of Engineers has civil authorities, responsibilities, capabilities, and funding under 33 U.S.C. 701n(a), (reference (r)) which are unique within the Department of Defense. As a consequence, USACE is involved in disaster response more frequently **than the rest of** the DoD.

B. IMMEDIATE RESPONSE. Immediate Response is that action authorized to be taken by a military commander or by responsible officials of other DoD Agencies to provide support to civil authorities to prevent human suffering, save lives, or mitigate great property damage. Any commander or DoD official acting under "Immediate Response" authority **shall** advise the DOMS through command channels by the most expeditious means available **and shall** seek **approval or** additional authorization **as** needed.

1. In the event of imminent serious conditions resulting

from any civil emergency or attack, all military commanders are authorized to respond to requests from the civil sector to save lives, prevent human suffering, or limit property damage. This immediate assistance by commanders will not take precedence over their combat and combat support missions, nor over the survival of their units. Military commanders will notify the DoD Executive Agent through their senior commander by the most expeditious means and seek guidance for continuing assistance whenever DoD resources are committed under Immediate Response circumstances.

2. Immediate Response is situation-specific and may or may not be associated with a declared or undeclared disaster. These actions do not supplant established DoD plans for providing support to civil authorities. Commanders may use Immediate Response authority to assist in the rescue, evacuation, and emergency medical treatment of casualties, the maintenance or restoration of emergency medical capabilities, and the safeguarding of public health. Commanders may also assist with the emergency restoration of essential public services and utilities. This may include fire fighting, water, communications, transportation, power, **and fuel**. They may also consider providing immediate assistance to assist public officials in emergency clearance of debris, rubble, and explosive ordnance from public facilities and other areas to permit rescue or movement of people and restoration of essential services. This list is not exhaustive. However, commanders should recognize that this is not a blanket provision to provide assistance. Such requests are time-sensitive and should be received from local government officials within 24 hours following completion of a damage assessment. Commanders will always consider the impact that providing immediate response would have on their military mission requirements and not jeopardize them.

3. Although immediate assistance will be given with the understanding that its costs will be reimbursed, it should not be delayed or denied when the requestor is unable or unwilling to make a commitment to reimburse.

c. DOMESTIC EMERGENCY. Emergencies affecting the public welfare and occurring within the 50 states, District of Columbia, Commonwealth of Puerto Rico, US possessions and territories, or any political subdivision thereof, as a result of enemy attack, insurrection, civil disturbance, earthquake, fire, flood or other public disasters or equivalent emergencies that endanger the life and property or disrupt the usual process of government. The term domestic emergency includes any or all of the conditions defined herein as civil defense emergency, civil disturbances, catastrophic or major disaster, emergency, or natural disaster.

1. Civil Emergency. Any natural or manmade disaster or

emergency that causes or could cause substantial harm to the population or infrastructure. This term can include a "catastrophic disaster," "major disaster," or "emergency," as well as consequences of an attack or a National security emergency. The terms "major disaster" and "emergency" are defined substantially by action of the President in declaring that extant circumstances and risks justify presidential implementation of the legal powers provided by the Stafford Act (reference (f)) and the Federal Civil Defense Act of 1950 (reference (a)). Readers of this Manual should refer to specific contingency plans of USACOM and USPACOM for domestic contingency operations within their respective AOR.

2. Civil Disturbances. These are group acts of violence and disorders prejudicial to public law and order within the 50 States, District of Columbia, Commonwealth of Puerto Rico, U.S. possessions and territories, or any political subdivision thereof. Included in this category are riots, acts of **violence**, insurrections, and unlawful obstructions or assemblages. Military support is provided in accordance with DoD Directive 3025.12 (reference (b)) and the DoD Civil Disturbance Plan: GARDEN PLOT (reference (s)).

3. Catastrophic Disaster. A catastrophic disaster is a "disaster that immediately overwhelms the ability of State, local, and volunteer Agencies to adequately provide victims of the disaster with the services necessary to sustain life.

4. Major Disaster. A major disaster is any natural catastrophe, or, regardless of **cause**, any **flood, fire, hurricane, tornado, earthquake**, or other catastrophe which, in the determination of the President, is or threatens to be of sufficient severity or magnitude to warrant disaster assistance by the Federal Government under the Stafford Act (reference (f)), to supplement the efforts and available resources of State and local governments in alleviating the damage, hardship, or suffering. (The Department of Defense responds to these emergencies in accordance with the **FRP**.)

5. Emergency. An emergency is any occasion or instance for which, in determination of the President, Federal assistance is needed to supplement State and local efforts and capabilities to save lives, and to protect property and public health and safety, or lessen or avert the threat of catastrophe in any part of the United States. Military support may or may not be required. However, the President may direct the Department of Defense to become actively involved in relief and may specify broad missions to be accomplished.

6. ALL HAZARDS. All Hazards means emergencies or disasters resulting from natural or manmade **events, including**, without limitation, civil disturbances and attack related disasters.

D. FEDERAL RESPONSE PLAN (FRP) (reference (a)). This is the umbrella plan that guides the Federal Government support to State and local governments. The FRP outlines Federal, including DoD, responsibilities and provides the framework for coordinating civil-military requirements between the DCO and the other Emergency Support Functions. The Department of Defense provides assistance to other Federal Agencies and State and local governments in accordance with the FRP. The plan, under full or partial activation, describes the Federal Government's role in providing immediate action to save lives and mitigate great property damage. Federal assistance supplements the efforts of State and local governments. Along with the Department of Defense, 26 other Federal Departments and Agencies provide support under the full implementation of this plan. The plan groups the types of assistance needed during a disaster or civil emergency into 12 functional areas called Emergency Support Functions (ESFs). The responsibility for each ESF is assigned to a primary agency. Several support Agencies **may be** assigned for each ESF. The Department of Defense is assigned as the primary Federal Agency for Emergency Support Function 3 - Public Works and Engineering and as a support agency for the other 11 functions. USACE has been designated the DoD lead agency responsible for planning and response for ESF 3. The Federal Government provides assistance under the overall direction of the Federal Coordinating Officer (FCO) appointed on behalf of the President by the Director of FEMA.

E. CIVIL DEFENSE. All those activities and measures designed or undertaken to:

1. Minimize the effects upon the civilian population caused, or that would be caused, by an attack upon the United States or by a natural or technological disaster.
2. Deal with the immediate emergency conditions that would be created by any such attack or natural or technological disaster.
3. Temporarily repair or restore vital utilities and facilities destroyed or damaged by any such attack or natural or technological disaster.

F. EXECUTION

1. Background. Primacy for responding to disasters and emergencies rests with State and local authorities. When a disaster threatens or occurs, local authorities take immediate steps to warn and evacuate citizens, alleviate suffering, and protect life and property. If additional help is needed, the Governor may direct execution of the State's emergency plan, use State Police or National Guardsmen, or commit other State resources as the situation demands.

2. Presidential Declaration. When the response and/or recovery requirements are beyond the capabilities of local and State forces and assistance programs, the Governor may request that the President declare a "catastrophic disaster," major disaster," or an "emergency." The Stafford Act (reference (f)) provides the President authority to use Federal resources to supplement State and local efforts. This authority is activated upon declaration of a "catastrophic disaster, " "major disaster, " or an "emergency ," as are some other Federal disaster relief programs. This assistance supplements the efforts and resources of State and local governments and voluntary organizations, and fills the needs that are unfulfilled by Federal disaster assistance programs not requiring a Presidential declaration.

3. FEMA. By EO 12148 (reference (g)), the President delegated to the Director of FEMA the authority to establish policies for, and coordinate, all civil defense and civil emergency planning, management, mitigation, and assistance functions of Federal executive Agencies. Federal assistance under the Stafford Act (reference (f)), is coordinated at the National level by the Associate Director for Response and Recovery and at the State level by the FCO. After a Presidential declaration, the Associate Director of FEMA appoints an FCO who is responsible for coordinating all Federal disaster relief assistance programs to ensure the maximum effectiveness of Federal assistance. FEMA notifies the Department of Defense through DOMS that the President has declared a disaster and a DCO is required. Other coordination occurs that identifies the scope and magnitude of expected additional military assistance.

4. DOMS. After coordination with the Chairman of the Joint Chiefs of Staff, DOMS designates a supported CINC as the operating agent. This could be CINCUSACOM for a disaster in the continental United States or Puerto Rico or the U.S. Virgin Islands; or USCINCPACOM for Alaska, Hawaii and the Pacific area. DOMS publishes an execute order to further delineate support relationships; directs the U.S. Army Corps of Engineers to begin disaster site support; and directs USCINCTRANS to begin unit and/or equipment movement as required by the supported CINC. Initial specific taskings of USTRANSCOM by the DOMS to speed assistance to the site should only be required until the supported CINC can deploy a DCO.

5. CINC. The supported CINC designates a component command, a headquarters to execute the disaster relief operation. This headquarters will designate and deploy a Defense Coordinating Officer (DCO) and, based on the severity of the situation, may deploy a Joint Task Force. Within the Continental United States, the CONUSAs of FORSCOM can provide the JTF headquarters. The CONUSAs are Army regionally oriented commands with geographic boundaries. These headquarters interact on a

daily basis with State and local authorities, the **FEMA** Regions, and other Federal Agencies on a variety of issues that provide the foundation for rapid and smooth transition to support operations during periods of disaster response. If a Joint Task Force is deployed, the JTF Commander must immediately forward a request for frequency allocation to the DCO. Frequency allocation in the disaster area is executed through ESF 2. The DCO, located in the Disaster Field Office, can coordinate the request with the ESF 2 representative. Early identification of spectrum requirements is critical in the disaster area.

6. **DCO/JTF**. The DCO is the DoD interface with FEMA, other Federal providers, and the State Coordinating Officer representative located in the Disaster Field Office (**DFO**). The DCO (and the DCE) is responsible for validating and coordinating mission assignments from the FCO. If a JTF, commanded by a General/Flag Officer, is deployed the supported CINC may direct him to work directly with the FCO. In this case, the JTF Commander may be viewed as the DoD representative. However, the mission requests and validations continue to be coordinated through the DCO and staff. The JTF Commander, who has operational control (OPCON) of DoD assets from the supported and supporting **CINCS**, provides personnel, **equipment**, and supplies to the disaster area; and is oriented to task identification, force generation, prioritizing assets against requirements, and providing disaster response support to the local government based on FEMA mission assignments. All requests for DoD transportation assets will be validated by the supported CINC and as much as practical a Joint Operations Planning and Execution System (JOPES) requirement will be generated. USACE supports this effort by providing engineering assets through its civil works structure. After an ESF provider has exhausted all of its support capability, the department or agency may request the FCO task the Department of Defense for augmentation support. These requests are evaluated by the FCO or his/her designated representative, and if approved, tasked to the DCO for validation and coordination. Requests that are not supported are returned to the FCO and may be passed to the National level for resolution by the Emergency Support Team or DOMS.

7. **Defense Logistics Agency (DLA)**. The comprehensive network of supply and/or service centers, and distribution depots nationwide provides an unequalled resource of functional experts to provide logistical support and/or services in logistics operations following a catastrophic domestic disaster. DLA, when tasked, can support the disaster location with a distribution depot capability comprised of logistical experts in materiel and/or supply management (including fuels management), contracting, disposal and/or reutilization, **receipt, storage**, and distribution. When deployed, DLA would assume management of DoD distribution functions in the disaster area.

8. Volunteerism. The Department of Defense interface with Federal Agencies and Departments for MSCA is through the DOMS. DoD interface at the disaster site is provided by the DCO who represents the supported CINC. The DOMS and supported CINC are responsible for providing DoD resources to valid requests provided by the FCO from the State. To ensure the Department of Defense provides resources to MSCA in the most coordinated and efficient manner, organizations and individuals within the DoD Components should neither offer nor provide direct support except as outlined under Immediate Response (Chapter 2, paragraph B) or Reserve Components volunteers as described in Chapter 5, paragraph B1. Personnel and equipment-related support capabilities that may be "volunteered" for disaster response should be identified through the chain of command to the supported CINC. The supported CINC will apply "volunteered" assets against valid FEMA requirements.

9. Foreign Military Assistance. Catastrophic disasters may be of such severity and magnitude that other nations may offer assistance to the United States in the form of engineer units, search and rescue organizations, or medical support detachments. Should this occur, the correct command relationship is Operational Control (OPCON) to the Joint Task Force. Another consideration for the employment of foreign National disaster relief forces is the legal status of the individuals. If the country from which they come has concluded a Status of Forces Agreement (SOFA) to govern their legal status within the United States they should be covered by that agreement. Individual agreements need to be negotiated with governments not covered by a SOFA.

10. Command Relationships. Military support to civil authorities in disasters and emergencies is a DoD responsibility and is normally executed through the Supported CINC. The Supported CINC capitalizes on the different and complimentary capabilities of each Service and Defense Agency to accomplish the mission. The DoD response structure parallels that of the FEMA and affected State. The command and coordination relationships for the three entities are shown in Figure 2-1. The key relationship is the coordination that occurs between the SCO, the FCO, and the DCO.

11. Base Support Installations (BSI). The CINC may designate an installation of any Service or Defense Agency to provide the DCO specified, integrated resource support to the DoD MSCA response effort. This installation is normally located outside of, but within a relative proximity to, the disaster area.

a. Support Provided. Resources provided by BSIS may include, but are not limited to, technically qualified personnel to assist in disaster response, minimal essential equipment, and

procurement support. A BSI may also serve as a marshaling or staging, or mobilization area for MSCA support.

b. Tasking Authority. The DCO is vested by the CINC with the authority to task the BSI for support to the DCE. This authority is published in the DCO activation order and in the order designating a BSI installation.

c. Support Priorities. Unless otherwise directed by the Secretary of Defense, survival of the DoD personnel and resources, recovery of military capabilities, force reconstitution, and continuity of military operations have priority over MSCA. Resources available from the BSI may be limited due to the effects of the disaster or attack, and further restricted based on a realignment of military priorities. Support will be temporary in nature, using resources not required for preparation or conduct of military operations.

12. Disengagement. Successful disengagement of disaster response activities from military to civilian control is absolutely critical. The lack of an agreed-upon "end state" can result in entrenchment and lead to over dependence on military forces. Therefore, the disengagement or transition depends on visualizing an "end state", establishing objective criteria, developing a detailed transition plan, and continually assessing the "end state" goal. The termination of military support to civil authorities is a sensitive operation which requires detailed planning and execution. The sensitivity is heightened in a catastrophic disaster which requires a large military presence during the response phase. If a JTF is organized, the JTF Commander's statement of intent should include a disengagement "end state." The statement of intent needs to describe the desired "end state", state the purpose of the operation, and be understood at all echelons. All efforts must be disciplined towards achieving the desired disengagement "end state. "

a. Visualize "End State". Disengaging military support from a civilian authority following a disaster requires that the key players agree on a set of conditions which defines the "'end state" . These conditions, which are definable and attainable, may be in the form of functional tasks, geographic areas, available civilian resources, or a combination of all three. The "end state" then takes the form of a transition contract which is continually reassessed and updated. Defining the "end state", or mission objectives, begins early in the response phase and involves the key players responsible for providing support to the disaster area. These key players include the FCO, DCO, SCO, and local government representatives.

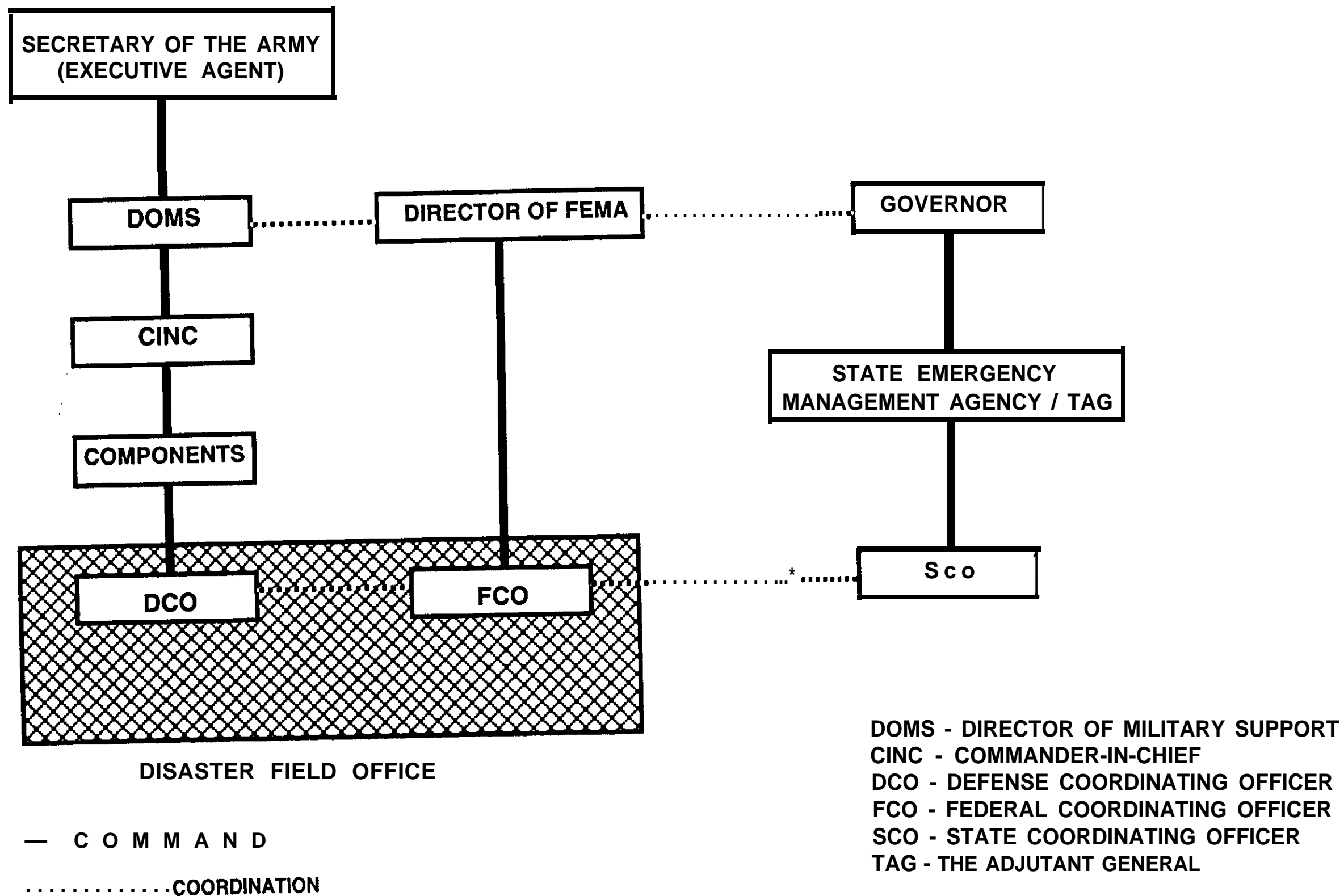
b. Planning. Planning for disengagement begins as soon as possible. The purpose is to set up the conditions for termination of military support and transferring responsibility to either a lead ESF, the State, or local government authority. "end state" conditions are objective criteria and can be defined by a functional task or geographical responsibility. Transfer of responsibility should be completed as soon as the "end state" conditions are met. The transition contract should establish "not later than" times with officials that are keyed to **major** events. These conditions represented by objective criteria may include:

- (1) Victims are receiving food and water.,
- (2) Temporary shelter is available for victims.
- (3) Civil law enforcement is functioning.
- (4) Civilian health and welfare services are available.
- (5) Critical utilities service restored (power and communications) .
- (6) **Major** transportation routes and facilities operational (roads, railroads, **airports**, and ports) .
- (7) State and local offices are open and functioning.
- (8) Commercial businesses and contractors are available.
- (9) Worship facilities and religious support programs available.
- (10) Public media operational.
- (11) Postal service reestablished.
- (12) Schools open.

c. Functional Task and Geographical Responsibility
MSCA in a disaster area is normally defined along a functional task or geographical area basis. Military support is usually reflected in the provision of basic needs such as food, water, shelter, power, and medical support. For example, once the functional tasks of providing food, water, shelter, or power are complete then transfer of that task is possible. Geographical disengagement parallels functional task disengagement. Geographical areas include neighborhoods, communities, districts, cities and counties within the disaster area. It is possible to

complete functional task support but not disengage from a geographical area.

d. Public Relations. The detailed planning characterized by disengagement should include a public relations campaign that ensures that the population in the disaster area is aware of what is occurring. Troop disengagements should be announced early, and conducted under a coordinated public relations campaign that involves the visible presence and support of the local civilian leaders in the disaster area. This allows the community to prepare for the transition, and if desired, conduct or participate in a departure ceremony. This contributes to a successful sense of closure. Further, residents of the disaster area are not surprised with a diminishing military presence and the perception of abandonment is avoided. The role of the media cannot be underestimated in assisting a smooth transition from military support to civil authorities.



COMMAND RELATIONSHIPS

FIGURE 2-1